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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on April 24, 2006.

Kim Blum
Name (Print)
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 2 4 2006

In re Application of:	Habecker et al.)	Examiner:	Ngoclan Thi Mai
Application No.:	10/770,895))	Group Art Unit:	1742
Filed:	February 3, 2004))	Oloup Fut Omt.	1742
Docket No.: 99024C	PDIV2 (3600-234-03)	<i>)</i>)	Confirmation No.:	1073

For: METHOD OF MAKING NIOBIUM AND OTHER METAL POWDERS

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR 1.97(b)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

April 24, 2006

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO/SB/08. Pursuant to the current United States Patent and Trademark Office rules, no copies of U.S. Patents/Patent Application Publications are provided.

This Third Supplemental Information Disclosure Statement is being submitted after expiration of the three-month period following filing of the above-captioned application, but before any Final Office Action or Notice of Allowance.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO/SB/08 be made of record therein and appear

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Third Supplemental Information Disclosure Statement U.S. Patent Application No. 10/770,895

on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied

against the claims of the present application.

regarding the appropriate status of such documents.

The Commissioner is hereby authorized to charge the amount of \$180.00 to Deposit Account No. 03-0060 for the submission of an Information Disclosure Statement fee. If there are any other fees due in connection with the filing of this response, please charge the fees to said Deposit Account.

Respectfully submitted,

Luke A. Kilyk

Reg. No. 33,251

Atty. Docket No.: 99024CIPDIV2 (3600-234-03)

KILYK & BOWERSOX, P.L.L.C.

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Tel.: (540) 428-1701

Fax: (540) 428-1720

Enclosures: Form F

Form PTO/SB/08 w/ 3 documents

PTO/SB/08a (05-03)
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Substitute for form 1449A/PTO		Application Number	10/770,895			
INFORMATION DISCLOSURE				Filing Date	February 3, 2004	
				First Named Inventor	HABECKER et al.	
STATEMENT BY APPLICANT				Art Unit	1742	
(use as many sheets as necessary)			essary)	Examiner Name	Ngodan Thi Mai	
Sheet	1	of	2	Attorney Docket Number	99024CIPDIV2 (3600-234-03)	

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		JP01176013 A		07/12/1989		Showa Denko KK			Abstract attached
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(use as many sheets as necessary)			sary)	Examiner Name	Ngoclan Thi Mai	
Sheet	2	of	2	Attorney Docket Number	99024CIPDIV2 (3600-234-03)	

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		Communication from European Patent Office for European Patent Application No. 00 916 452.6-2122 dated November 4, 2004	
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